

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JEREMIAH HUNLEY,	)	
	)	
Plaintiff,	)	
	)	No. 3:10-CV-455
V.	)	(PHILLIPS/GUYTON)
	)	
GLENCORE LTD, INC., and	)	
EAST TENNESSEE ZINC CO., LLC,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, Standing Order 13-02, and the Scheduling Order.

The parties appeared before the undersigned on June 21, 2013, to address various discovery issues in this case. Initially, the Court and the parties addressed requests for production made by Defendant Glencore. Glencore disputes the Court's subject matter jurisdiction in this case. Specifically, Glencore argues that the Plaintiff may not be a citizen of Kentucky, and therefore, the parties are not diverse. Glencore seeks information about Plaintiff's state of residence – such as driver's license records and income tax returns – to help establish Plaintiff's state of residence, on the date of the filing of this action.

The Court has heard from the parties on this issue and considered the parameters of Rule 26 and Rule 34 of the Federal Rules of Civil Procedure. The Court finds that Glencore is entitled to receive the information and documents sought, to the extent that the documents and information exist and are limited to relevant years. The Court further finds that the

release/waiver procedure suggested by the Plaintiff is a sufficient means by which Glencore can obtain this information.

Accordingly, and to the extent that the Plaintiff has not already done so, the Court **ORDERS** Plaintiff to sign and execute waivers or releases to allow Glencore to obtain records relating to the Plaintiff's disability benefits, tax returns, bank records, fishing or hunting licenses, driver's licenses, U.S. Postal Service change-of-address forms, and/or voting registration records. Plaintiff shall execute any waivers or releases as soon as possible. With regard to Glencore's request for residential leases, the Court finds that this request is **MOOT**, as it appears that Glencore has already received any relevant leases.

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge